

EKIN COLLEGE

JUNIOR MODEL UNITED NATIONS CONFERENCE

JANUARY 2019

**“REACH FOR JUSTICE”**



**WHO**

*Topic A: The growing threat of the organ trade*

*Topic B: Health care in conflict and post-conflict zones*

**RESEARCH REPORT**

CHAIR: AYDA AKÇAY

Co-CHAIR: İREM AKBUDAK



EKINJMUN CONFERENCE JANUARY 2019

## RESEARCH REPORT

### Welcome Letter from the Secretary General

**Esteemed participants,**

**It is with my utmost pleasure to welcome you all to the 3rd annual session of EKIN Junior Model United Nations. My name is Isabella Yazici and I will be serving as your Secretary General. Our conference will take place in Izmir, Turkey between the 11th and the 13th of January, 2019. In alliance with our annual slogan imagine, innovate, inspire we are aiming for younger generations to comprehend that they have the capability of changing the world.**

**As Albert Einstein once said, “In the middle of difficulty lies opportunity.” This year in EKIN JMUN we will simulate 12 extraordinary committees. In light of these words, these committees will focus on finding the spark of light within all of the darkness and try to solve the crises both our world and the conference presents. I fully believe that every participant will do their best to make the world a better place. Both the academic and organizational team have worked many hours to bring you the best version of EKIN JMUN and an overall inspiring, unforgettable experience that will stay with you your whole life.**

**To come to a conclusion, on behalf of our academic and organizational team I would like to invite you to the third annual session of the biggest JMUN organization in the region. I cannot wait to meet you in January.**

**Sincerely,**

**Isabella Yazici**

**EKINJMUN 2019 SG**

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### Introduction

#### **A: Introduction to the committee**

WHO (World Health Organization) came to existence when its Constitution came into force on a date all people celebrate every year as World Health Day, 7 April 1948. WHO is an international organization with more than 7000 people from all corners of the World working in 150 different country offices and also in 6 different regional offices. These people operate at their headquarters in Geneva. Their main mission is to direct and coordinate the authority currently dealing with international health within the work frame of United Nations. How they do this is quite simple but yet a complex duty. They provide leadership on matters critical to provide a common health system around the globe and they cooperate with other similar bodies where cooperation and joint action is needed. They help people by shaping the United Nations agendas on health and translating the valuable knowledge and information about health to make these information available for all Member States. WHO's multilingual web site, publications and other United Nations resources guarantees that most important health information reaches the people who need it, in languages they can understand to promote a global leadership in health through WHO thereby UN. They also monitor the health situation and address the local and international authorities when needed. WHO's most important work is supporting Member States in their effort to coordinate with many sectors like funds and foundations, non-governmental organizations and private sector to achieve their health objectives and supporting their national and governmental health policies and systems.

Governance and decision-making of WHO is executed by the World Health Assembly, which is the main decision-making, legislative body and Executive Board. WHO is headed and represented by the Director-General of WHO, who is nominated by the Executive Board and elected by the World Health Assembly.

#### **Introduction to Topic A: The growing threat of the organ trade**

The trade of human organs as well as trafficking in people for organ removal has grown in the 21<sup>st</sup> century as critical problem on a global scale. Organ trade has been occurring since the transplantation of organs have been medically possible. There are more organs demanded for transplant than are convenient, quite a few patients are awaited on waiting lists, generally for years. So, the necessity for healthy donors has risen, but most frameworks – even in MEDC countries – are inadequate in order to obtain long list of donors. Only in Europe for example, there are currently 120.000 patients on dialysis and 40.000 people waiting for a kidney, according to the European Parliamentary Protocol Assembly. With no doubt that, some patients are so remediless

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that they will refer to illegal ways to reach a transplant and they acquire organs for transplantation on the black market.

On the one hand, economic and financial crises have been increasing organ trade as well. The international organ trade links and networks take significant place in organ trade. This network involves brokers to local facilities and hospitals with the great part of corruption.

Organ trade of human being is a straight crime and under international legislations it is classified as international criminal offence. Organ trade is due to the detailed duration, includes a combination of criminals and even health personals.

### Definition of Key Terms

**Trafficking:** Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons defines Trafficking in Persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs

**Organ Trade:** Organ trade is the trade of human organs, tissues or other body parts, usually for transplantation. There is a global need or demand for healthy body parts for transplantation, far exceeding the numbers available.

**Organ Donation:** Organ donation is the process of removing an organ from one person and surgically placing it in another person. Many organs can be donated. Donations include the liver, kidney, pancreas, and heart.

**Transplant Tourism / Organ Tourism:** Another term that is pretty enough used in the matter of organ trade is 'organ tourism' or 'transplant tourism': the patient who travels abroad in search of an (illegal) transplant. The 2008 Declaration of Istanbul (DOI) has proposed the following definition of 'transplant tourism': 'Travel for transplantation is the movement of organs, donors, recipients, or transplant professionals across jurisdictional borders for transplantation purposes. Travel for transplantation becomes transplant tourism if it involves organ trafficking and/or transplant commercialism or if the resources devoted to providing transplants to patients from outside a country undermine the country's ability to provide transplant services for its own population.' (paragraph 6.3.3 for background on DOI).

**Transplant Commercialism:** Transplant Commercialism is a policy or practice in which an organ is treated as a commodity, including by being bought or sold or used for material gain.

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**Black Markets:** Black market refers to an illegal trading of goods and services without government's knowledge in order to avoid price control, tax or government regulations. Sometimes consumer has to depending on the black market when the necessary goods is available only in black market.

**War Crimes:** The Statute of the International Criminal Court defines war crimes as, “serious violations of the laws and customs applicable in international armed conflict” and “serious violations of the laws and customs applicable in an armed conflict not of an international character”.

**Tissue:** the material that animals and plants are made of

**Organ Transplant:** Organ transplantation is a surgical operation in which a failing or damaged organ in the human body is removed and replaced with a functioning one. The donated organ may be from a deceased donor, a living donor, or an animal. In some cases an artificial organ is used.

**Cadaveric organ donation:** It involves removing organs from a recently deceased donor.

**Living organ donation:** It involves the donation of one of a paired organ (such as kidneys) or a portion of an organ (such as a lobe of the liver or lung). The donor's organ system is still able to function after the donation. Living donors are often related to the patient, but that is not always the case.

### General Overview

Organ trade is a bitter truth that, it's developing day by day as serious global problem. Emphasizing, before 2000, the matter of organ trade was restricted to the India and Southern Asia. Recipients generally came from Japan and other Asian states. The European Union (EU) and the USA didn't put emphasis on the issue. But since 2000, the organ trade has started to increase. One of the most common donor need is kidney in the world. By the virtue of this, the demand of organ transplantation, especially kidney, is very high. 123.000 men, women and children are on the waiting list and among of 25 will die each day. WHO reported that %10 of the 93.000 committed transplants in 2005 were the consequences of transplant tourism.

On the other hand, increase in diabetes, liver and heart disease develops the demand for organs. Rise in impoverishment drives seeking humans to extreme options, they are not aware about the issue's complexity and uneducated of the danger include with operations like organ trade. Moreover, there is no doubt that, money has an essential role and a great impact on organ trade. Institute for Global Financial Integrity has shown that organ trade turn out illegally in the rage of 600 million USD to 1.2 billion USD per year.

Organ trade network, which has a significant impulse, contribute the topic of organ trade. Generally the network involves international coordinator (broker), local recruiters and other facilities, medical personals and local hospitals and accomplice

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(logistic). Lately, reports are documented that there is a rise of organ trade proposals in the internet and in newspaper advertisements, especially in Russia and South Europe.

Mainly refugees and migrant (in particular migrant workers), homeless people, disabled people and children are the most vulnerable populace. This is due to two primary reasons: Firstly, they are willing to sell their organs for less money, secondly local authorities are less likely to point out this threat. Furthermore, India is generally known as “organ - exporting country”. According to the Voluntary Health Association of India, approximately 2000 Indian citizens sell a kidney each year. In China, about 12.000 kidney and liver transplantations were committed in 2005. There is not any certain indicate but, it estimated that most of transplant organs have been performed from executed prisoners in the People’s Republic of China. The case of Islamic Republic of Iran is remarkable for being the only country that legalized the trading of organ. Although there is a strict ordering division of organs to citizens. The main part of donors is an impoverishment and financially obligate in order to take place in trade. But now, for organ trade loads of advertisements are in the streets of Iran. In addition to these, other governments such as, Bolivia, Brazil, Iraq, Israel, the Republic of Moldova, Peru and Turkey have all prohibited the distribution and the purchase of human organs.

The issue of growing threat of organ trade is complicated and consist of some deputy matters, while there are certain and severe conclusions. Organ trade is a total violation of human rights. The issue must be underlined with international cooperation. Productive solutions must comprise sensible works with addressing international frameworks and national policies. In a conclusion in order to prevent or make the ratio of organ trade minimize, harmonization of international reconciliation and global policies are the must.

### Timeline of Events

In May 1987	<b>Resolution WHA40.13</b> by the 40 <sup>th</sup> World Health Assembly was adopted. It emphasized the concern about trafficking in organs and the necessity for global standards for organ transplantations.
In May 1989	<b>Resolution 42.5</b> by the 42 <sup>nd</sup> WHA underlined the importance of preventing the sale of human organs.

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In 1991	<b>Guiding Principles on Human Organ Transplantation</b> expressed; voluntary donation, preference for deceased over living donors as sources. It has notably affected professional codes, international legislations and policies.
In 1999	During the Kosovo War, over 300 victims' organs were kidnapped, killed and trafficked .
In 2008	<b>“The First International Summit on Transplant Tourism and Organ Trafficking”</b> was involved organizations from over 70 governments in order to address the commercialization of the organ trade. The conference developed the <b>“Declaration of İstanbul”</b> which takes an attention on “nobility of organ donation” and “victimizing the poor as the source of organs for the rich” .
2009 – 2015	The European Union the Communication from the Commission’s <b>“Action plan on Organ Donation and Transplantation (2009-2015)”</b> with ten actions addressing the three key challenges in organ donation and transplantation.
In 2 <sup>nd</sup> July of 2018	İstanbul Declaration on Organ Trafficking and Transplant Tourism was updated.

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### Introduction to the Topic B: Health care in conflict and post-conflict zones

Conflict and post conflict zones have been associated with violations of human rights. Health care is one of the most significant issues in the conflict and post conflict areas. Emphasizing that, in times of conflict, fundamental rights of society living in the conflict and post-conflict zones are generally at risk. Armed conflict has an essential impact on human health due to the disruption of economic and social aspects by which people use to handle their health essentialness; the starvation and diseases that sequent disorderedness. Conflict conditions may lead to displacement of society to unhygienic places with lack of safe water, food as well as lack of health assistance. Thus, disease and infections increase.

Populations who are victims in conflict and post-conflict zones are the most distressed in aspect of medical necessities. Unfortunate attacks on health care, bombing hospitals, attacks on sanitations, have a bad influence on access to health care and medical treatment. These have been causing increases of mortality rates. Such governments don't pay attention to responsibilities that have been given to them by international laws and treaties.

The consequences of conflicts on children's right to health care, the complexities for population who have been affected by conflict to access sanitations in times of armed conflicts, outbreak diseases that increase by conflicts are such an important issues to be discussed and emphasized. By any means, with the right action taken, our world can reduce or prevent the instabilities in all aspects.

### Definition of Key Terms

**Armed Conflict:** All cases of declared war or of any armed conflict that may arise between two or more high contracting parties, even if the state of war is not recognized, the convention shall also apply to all cases of partial or total occupation of the territory of a high contracting party even if the said occupation meets with no armed resistance. (Geneva Convention, 1949, common art.2)

**Post Conflict:** Conflict situation in which open warfare has come to an end. Such situations remain tense for years or decades and can easily relapse into large-scale violence.

**Conflict Zone:** Any area experiencing a period of armed conflict between two or more organized groups, governmental or non-governmental.

**Sanitation:** Conditions relating to public health, especially the provision of clean drinking water and adequate sewage disposal.

**Right to Health:** According to the World Health Organization, it means that everyone should have access to the health services they need, when and where they need them, without suffering financial hardship.

**Disease Outbreak:** A disease outbreak is the occurrence of cases of disease in excess of what would normally be expected in a defined community, geographical area or

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season. An outbreak may occur in a restricted geographical area, or may extend over several countries. It may last for a few days or weeks, or for several years.

### General Overview

Conflict is often caused by social, economic, ethnic, environmental and geopolitical factors. Health care in conflict zones reflect complexity in aspects of politics, culture and medicine. The influence of armed conflict and post conflict on health care have effect communities. The instability of government authority and economical aspects destroy health services and sanitations. As stated in the Universal Declaration of Human Rights 'Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care' but unfortunately it is not possible to maintain this in conflict and post-conflict zones.

The severe consequences of conflict on health care, in the short term, has a wide-range that contains attacks on health care services and obstacles to health accesses. According to the WHO, between 2014 and 2015 there were an estimated 595 attacks resulting in 959 deaths and 1561 injuries. Most of these attacks were aimed at healthcare facilities. In conflict and post-conflict areas the percentage of; infant, children and maternal mortalities - which is the main sign of public health- are at high increase due to the inadequate healthcare access, clean water, food as well as healthcare personals. Especially girls and women at risk during the time of armed and post conflict. Besides psychological traumas in women who have been sexually abused, they have an great risk of infectious like, HIV/AIDS, hepatitis. Infants and children are most most risk of being infected by meningitis, tetanus, malaria ect. Warfare has been declared as a public health problem. According to World Bank, 2016, there are over 25 armed conflicts in the world; some of which have been continuing since the early 1990s. Although post conflict zones face comparable matters even though not having armed conflict, there may not be sustained peace in society.

Medical experts and health professionals immigrate from the conflict zones due to high amounts of attacks on health services and personals. For instance, according to the IHL, in Iraq, bombing hospitals, killing and kidnapping doctors, nurses are at a all time high.

Member states ought to make cooperation and need to work together in order to minimize and prevent attacks on health services and ensuring the protection of health care in the time of armed and post conflict zones.

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### Timeline of Events

17 FEBRUARY 1863	The International Committee of Red Cross was established.
7 APRIL 1948	World Health Organization (WHO) was founded.
10 DECEMBER 1948	Universal Declaration of Human Rights was written
12 AUGUST 1949	Geneva Convention was approved.
8 JUNE 1977	Protocol I was added to the Geneva Conventions (Additional Protocol I), which deals with international armed conflicts.
12 JULY 2011	Security Council identified attacks on hospitals, schools, education and medical personal as major concerns for international peace and stability.

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3 MAY 2016	UNSC adopted Resolution 2286 calling for an end to such armed conflicts.
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